

**Remarks**

Claims 81-100 are pending and rejected. Applicants respectfully traverse the rejection and request allowance of claims 81-100.

**Claims 81-100 stand rejected under 35 U.S.C. §103(a) over U.S. Patent 6,324,279 (Kalmanek).** Claim 81 requires:

“A communication system comprising:

a signaling processor configured to receive and process signaling for a call to select a connection, a bandwidth rate, an encoding scheme, and a billing rate, to transfer a first message indicating the connection, the bandwidth rate, and the encoding scheme, and transfer a second message indicating the billing rate to an accounting system; and

an interworking unit configured to receive the first message and user communications for the call, and in response, to apply the encoding scheme to the user communications and transfer the user communications over the connection at the bandwidth rate.”

The applicant believes that the examiner has equated the gate controller 110 of Kalmanek to the signaling processor of claim 81. The applicant also believes that the examiner has equated the network edge device 120 (also called an ER) to the interworking unit of claim 81. The applicant also believes that the examiner has equated the messages sent from the telephony interface unit 170 (also called a BTI) to the gate controller 110 as the signaling received and processed by the signaling processor in claim 81. Applicant will base his arguments on this understanding.

Claim 81 requires a signaling processor that is configured to receive and process signaling to select a connection, a bandwidth rate, and an encoding scheme.

In the current office action the examiner states that Kalmanek teaches the claimed message between the signaling processor and the interworking unit. The examiner states that “The gate control setups a communication to assure an authorized quality of service, the gate control has to select the connection, the encoding and the bandwidth to meet the service quality for various calls to NED in block 220, 230 in Fig2”. The cited parts of figure 2 and the descriptive text (column 9, lines 51- 61) do not show a message between

the signaling processor (gate controller 110) and the interworking unit (NED 120) setting up the actual bandwidth used. The descriptive text teaches that “a gate for the call is established at the terminating network edge device 121 upon receiving the setup message from the terminating gate controller 111” (emphases added). A setup message includes the maximum bandwidth that may be requested through a gate (see column 35, lines 6 – 9). The actual bandwidth used by the gate is determined by communications from the BTI to the ER (see column 28, lines 10 – 15). Claim 81 requires that the bandwidth rate used (not the maximum available) is sent from the signaling processor (not the BTI) to the interworking unit in the first message. Thus, Kalmanek does not teach the claimed message between the signaling processor and the interworking unit that sets the bandwidth used in the communication.

The examiner states that the encoding scheme is selected in column 23, lines 28 – 32. The cited text talks about “AUTHID” which is the authorization code and CINFO which is an encrypted string containing information about advanced features for a call (see column 22, lines 61 – 67). The cited text does not talk about setting up the encoding scheme. Kalmanek teaches that the TIU selects the encoding scheme (CODING), and identifies the selected encoding scheme in the set-up message that it sends to the gate controller (See Kalmanek, column 21, line 1 to column 22, line 31). The gate controller does send the encoding scheme to the ER 120 but the ER doesn’t use the information “although the parameter includes the coding style, it is not used by the gate” (see column 35, lines 6 – 8). Claim 81 requires that the signaling processor selects the encoding scheme (not the TIU) and that the interworking unit “apply the encoding scheme to the user communications”. Thus Kalmanek does not teach that the signaling processor is where the encoding scheme is selected and that the interworking unit is where the encoding scheme is applied.

The prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Here, there are a number of elements in claim 81 (discussed above) that are not taught in Kalmanek, therefore the examiner has not fulfilled the requirements for a *prima facie* case of obviousness. Therefore claim 81 is allowable as written.

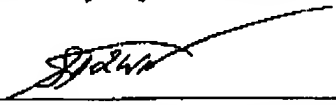
In addition Claim 81 requires a signaling processor that is configured to transfer a message indicating the billing rate to an accounting system. In Kalmanek it's a two step process. In the current office action the examiner states it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Kalmanek to send the message in one step. The first step of the two step process is that the gate controller sends a GateSetup message to the edge router (See Kalmanek, column 33, line 55 to column 34, line 9). The Gatesetup message contains general billing information, for example the charging information that is to appear in the billing information (see column 35, lines 19 – 22). The second step is that the edge router sends more detailed billing information to the accounting system, for example callstart, callend, etc (see column 44, lines 34 – 55). The gate controller does not have the more detailed information about the call duration. Therefore the message for the more detailed call duration must come from the edge router. Therefore Kalmanek can not combine the two messages into only one message from the gate controller to the accounting system.

Claims 82 – 90 are dependent on allowable claim 81 and are therefore allowable.

The arguments for claim 81 (above) apply to claim 91 and claim 91 is therefore allowable.

Claims 92 – 100 are dependent on allowable claim 91 and are therefore allowable.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 81-100.

  
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